

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

MARCUS LEMONIS,

Plaintiff,

v.

A. STEIN MEAT PRODUCTS INC.,
HOWARD MORA, ALAN BUXBAUM,
And KING SOLOMON FOODS, INC.,

Defendants.

Index No. 14-cv-03073 (DLI) (RLM)

DECLARATION OF MICHELLE R. MUFICH

Michelle Mufich declares pursuant to 28 U.S.C. § 1746, and under penalty of perjury, that the following is true and correct:

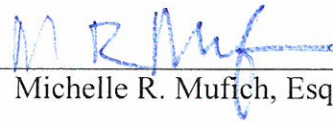
1. I am an attorney at the law firm Becker, Glynn, Muffly, Chassin & Hosinski LLP, counsel for defendants A. Stein Meat Products Inc., Howard Mora, and Alan Buxbaum (together, “Defendants”). I submit this declaration to assemble facts of which the Court can take judicial notice in support of Defendants’ motion to dismiss the plaintiff’s claims against them.

2. Attached as Exhibit A is a true and correct copy of the online USPTO Trademark Electronic Search System result for the Brooklyn Burger standard character trademark, Registration Number 3652775, serial number 76693496, *available at* <http://tmsearch.uspto.gov/bin/showfield?f=doc&state=4803:hrjroj.2.2> (last visited June 19, 2014).

3. Attached as Exhibit B is a true and correct copy of the online USPTO Trademark Electronic Search System result for the Brooklyn Burger logo, serial number 77750645, *available at* <http://tmsearch.uspto.gov/bin/showfield?f=doc&state=4803:nxu367.2.1> (last visited June 23, 2014).

4. Attached as Exhibit C is a true and correct copy of the assignment recorded with the USPTO for the trademarked name “Brooklyn Burger,” *available at* <http://assignments.uspto.gov/assignments/assignment-tm-4911-0852.pdf> (last visited June 19, 2014).

Dated: June 24, 2014
New York, New York


Michelle R. Mufich, Esq.